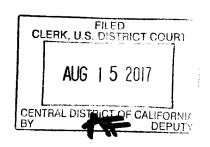
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UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,		ES OF AMERICA,) Case No.: CR 17-2024M			
			Plaintiff,	ORDER OF DETENTION		
			V			
JOS	E REY	ES-FI	GUEROA	}		
		••	Defendant.	_}		
				I.		
A.	()	On n	n motion of the Government in a case allegedly involving:			
	1.	()	a crime of violence.			
	2.	()	an offense with maxim	um sentence of life imprisonment or death.		
	3.	()	a narcotics or controlle	ed substance offense with maximum sentence		
			of ten or more years.			
	4.	()	any felony - where defe	ndant convicted of two or more prior offenses		
			described above.			
	5.	()	any felony that is not o	otherwise a crime of violence that involves a		
			minor victim, or possession or use of a firearm or destructive device			
			or any other dangerou	s weapon, or a failure to register under 18		
			U.S.C. 8 2250			

1	B. (x) On motion by the Government/() on Court's own motion, in a case
2	allegedly involving illegal alien found in the United States following
3	deportation:
4	(x) On the further allegation by the Government of:
5	1. (x) a serious risk that the defendant will flee.
6	2. () a serious risk that the defendant will:
7	a. () obstruct or attempt to obstruct justice.
8	b. () threaten, injure or intimidate a prospective witness or
9	juror, or attempt to do so.
10	C. The Government () is/(x) is not entitled to a rebuttable presumption that no
11	condition or combination of conditions will reasonably assure the defendant's
12	appearance as required and the safety or any person or the community.
13	
14	II.
15	A. (x) The Court finds by a preponderance of the evidence that no condition or
16	combination of conditions will reasonably assure:
17	(x) the appearance of the defendant as required.
18	(X) and/or
19	(x) The Court finds by clear and convincing evidence that no condition or
20	combination of conditions will reasonably assure:
21	(x) the safety of any person or the community.
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23	B. () The Court finds that the defendant has not rebutted by sufficient evidence to
24	the contrary the presumption provided by statute.
25	
26	III.
27	The Court's findings are based on the evidence which was presented in Court, the
28	information contained in the Pretrial Services Report, and a consideration of the

following: 1 2 (X)the nature and circumstances of the offense(s) charged, including whether 3 the offense is a crime of violence, a Federal crime of terrorism, or involves 4 a minor victim or involves a controlled substance, firearm, explosive, or 5 destructive device; 6 the weight of evidence against the defendant is high; В. (X)7 (X)the history and characteristics of the defendant as set forth below in section 8 V; and 9 D. the nature and seriousness of the danger to any person or the community as (X)10 set forth below in section V. 11 12 IV. 13 The Court also has considered all the evidence adduced at the hearing and the 14 arguments and/or counsel, Services statements and the Pretrial 15 Report/recommendation. 16 17 V. 18 The Court bases the foregoing finding(s) on the following: 19 (x) As to flight risk: 20 Defendant was previously convicted of illegal entry n 2007, has no legal status in the United 21 States and has used several aliases, turned to the United States without permission before being found and 22 charged with the instant offense. Thus, Defendant has not demonstrated a willingness to abide by court 23 orders and the Court is not convinced that the defendant will abide by its order to appear for future court 24 appearances if released on bail. Moreover the prospective penalty that defendant faces, if convicted of the 25 charged offense, supports a finding that release on bail will pose a flight risk because defendant will likely 26 be deported after serving the sentence imposed, and the Court finds that, in conjunction with the other 27 factors noted above, this will provide an incentive to flee the jurisdiction. 28

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2	VI.
3	A. () The Court finds that a serious risk exists the defendant will:
4	1. () obstruct or attempt to obstruct justice.
5	2. () attempt to/() threaten, injure or intimidate a witness or juror
6	B. The Court bases the foregoing finding(s) on the following:
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11	VII.
12	A. IT IS THEREFORE ORDERED that the defendant be detained prior to trial.
13	B. IT IS FURTHER ORDERED that the defendant be committed to the custody of the
14	Attorney General for confinement in a corrections facility separate, to the exten
15	practicable, from persons awaiting or serving sentences or being held in custody
16	pending appeal.
17	C. IT IS FURTHER ORDERED that the defendant be afforded reasonable opportunity
18	for private consultation with counsel.
19	D. IT IS FURTHER ORDERED that, on order of a Court of the United States or or
20	request of any attorney for the Government, the person in charge of the corrections
21	facility in which defendant is confined deliver the defendant to a United States
22	marshal for the purpose of an appearance in connection with a court proceeding.
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25	DATED: August 15, 2017 /s/
26	UNITED STATES MAGISTRATE JUDGE
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